

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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THOMAS SJOBERG,

Plaintiff,

v.

STEVE SISOLAK, *et al.*,

Defendants.

Case No. 3:22-cv-00492-MMD-CLB

ORDER

*Pro se* Plaintiff Thomas Sjoberg brings this action under 42 U.S.C. § 1983. Before the Court is the Report and Recommendation (“R&R”) of United States Magistrate Judge Carla L. Baldwin (ECF No. 5), recommending that the Court dismiss this action without prejudice based on Sjoberg’s failure to file an amended complaint. Sjoberg had until January 23, 2023 to file an objection. To date, no objection to the R&R has been filed. For this reason, and as explained below, the Court adopts the R&R in full and dismisses this action.

Because there is no objection, the Court need not conduct *de novo* review and is satisfied Judge Baldwin did not clearly err. *See United States v. Reyna-Tapia*, 328 F.3d 1114, 1116 (9th Cir. 2003) (“De novo review of the magistrate judges’ findings and recommendations is required if, but *only* if, one or both parties file objections to the findings and recommendations.”) (emphasis in original). Here, Judge Baldwin recommends dismissing this action because Sjoberg has failed to file an amended complaint in compliance with the Court’s December 1, 2022 screening order (ECF No. 3), and the majority of the relevant factors weigh in favor of dismissal. (ECF No. 5 at 2-3.) The Court agrees with Judge Baldwin. Having reviewed the R&R and the record in this case, the Court will adopt the R&R in full.

1 It is therefore ordered that Judge Baldwin's Report and Recommendation (ECF  
2 No. 5) is accepted and adopted in full.

3 It is further ordered that this action is dismissed without prejudice.

4 The Clerk of Court is directed to enter judgment accordingly and close this case.

5 DATED THIS 27<sup>th</sup> Day of January 2023.

A handwritten signature in blue ink, appearing to read 'Miranda M. Du', is written over a horizontal line.

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7 MIRANDA M. DU  
8 CHIEF UNITED STATES DISTRICT JUDGE  
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